

April 15, 2020

Robert D. Shumeyko
Regional Director, New England Office
Office of Community Planning and Development
U.S. Department of Planning and Development
Thomas P. O'Neil Jr. Building
10 Causeway Street
Boston, Ma 02222-1092

Dear Mr. Shumeyko

The State of Rhode Island, Office of Housing and Community Development (OHCD) is requesting specific waivers of Community Development Block Grant (CDBG) Program requirements to Prevent the Spread of COVID 19 and mitigate economic impacts caused by COVID 19. These waivers are requested for the following CDBG allocations to the State of Rhode Island: CDBG PY'19, CDBG PY'20, and all CDBG COVID-19 supplemental (CDBG-CV) allocations. Approval of these waivers will enable Rhode Island to more efficiently and effectively respond to the needs of low- and moderate-income residents during this crisis.

The requested waivers are as follows:

1. Waiver of the sections cited below and waiver/modification of any related sections to allow the State of Rhode Island to directly carry out CDBG activities.
Requirements at 42 U.S.C. 5306 that prevent a State from directly carrying out CDBG activities.
2. Waiver of the sections cited below and waiver/modification of any related sections to allow CDBG-CV funds to be distributed to entitlement communities in Rhode Island.
Section 5302(a)(7) of title 42, U.S.C. (definition of "nonentitlement area") and provisions of 24 CFR part 570 that would prohibit or restrict a State from distributing CDBG funds to entitlement communities and Indian tribes under the CDBG program, including 24 CFR 570.480(a) and 570.486(c).

Rhode Island has no official county government entities, leaving the entire responsibility of CDBG local administration on municipal governments that are facing logistical and technical challenges as they respond to this crisis. The State often conducts functions which may be the responsibility of regional and local governmental bodies in other States. In addition, many smaller communities may be operating at reduced levels during this time of crisis. Administrative efficiencies are available by contracting with a single entity rather than multiple communities in a regional/statewide effort.

Due to Rhode Island's geographic size, many non-profit service providers located in entitlement areas have catchment areas that include non-entitlement jurisdictions. During this crisis, it may be difficult for such providers to identify the residences of all beneficiaries. The administrative burden of such tracking might discourage much-needed assistance to such providers. In addition, excluding the six entitlement cities from State CDBG and CDBG-CV assistance may exacerbate inequities. For example, absent a waiver, microenterprises located in entitlement cities would be excluded from accessing any CDBG State/Small Cities microenterprise stabilization program. Such microenterprises are more likely to be minority-owned than ones in non-entitlement communities.

This waiver request is in addition to the State's April 14, 2020 requests that included two ConPlan waivers. Should you have any questions regarding this request, please contact either me at Michael.Tondra@doa.ri.gov or Laura Sullivan at Laura.Sullivan@doa.ri.gov.

We deeply appreciate the support your office has continued to provide to Rhode Island, despite the challenges of working during this COVID-19 pandemic. Thank you for your attention to this request.

Sincerely,

Michael Tondra
Chief, Office of Housing and Community Development

cc: Laura Sullivan, OHCD
Amy Yuhasz, HUD Boston